

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AXIS CONSTRUCTION CORP.	:	CIVIL ACTION
Plaintiff	:	
	:	
v.	:	NO. 02-cv-3017
	:	
LANDMARK BUILDING SYSTEMS, INC., et al.	:	
Defendants	:	

**DEFENDANT, LANDMARK BUILDING SYSTEMS, INC.'S
SECOND REQUEST FOR PRODUCTION OF DOCUMENTS
DIRECTED TO PLAINTIFF, AXIS CONSTRUCTION CORP.**

_____Defendants, Landmark Building Systems, Inc. ("Landmark"), by its attorney, Francis X. Clark, P.C., hereby directs the following Request for Production of Documents to Defendants, Axis Construction Corp. ("Axis"), and hereby request it to produce copies of all documents and things as hereinafter defined within thirty (30) days after service of this request in accordance with Rule 34 of the Federal Rules of Civil Procedure, at the offices of Francis X. Clark, P.C., The Woods, Suite 705, 987 Old Eagle School Road, Wayne, Pennsylvania 19087.

As used herein the term "Document" shall include the plural and mean, without limitation, unless otherwise indicated, the original and each copy, where differing from the original by reason of notations, revisions or otherwise, of each and any writing, evidence and indebtedness, memorandum, letter, correspondence, telegram, note, minute,

contract, agreement, inter-office communication, bulletin, circular, procedure, pamphlet, photograph, study, notice, summary, invoice, diagram, plan, shop drawing, diary, record or note of telephone conversations, chart, schedule, entry, print, representation, record, job report, change order, construction document and any tangible item or thing of written, readable, graphic, audible (including phono-records) or visual material of any kind or character, whether hand-written, typed, xeroxed, photostated, printed, duplicated, reproduced, recorded, photocopied, microfilmed, micro carded, or transcribed by any means, and any other data compilations from which information can be obtained, translated, if necessary, by the respondent into reasonably usable form, including without limitation, each interim as well as final draft of each revision, as well as any other tangible thing which constitutes or contains matter within the scope of Rule 34 of the Federal Rules of Civil Procedure which are in the possession, custody and control of Answering Defendant.

“Landmark” shall mean Defendant in this action, Landmark Building Systems, Inc.

“Axis” and “you” and “your” shall mean Plaintiff in this action, Axis Construction Corp.

“Plainedge Schools Project” shall mean the project for construction of two modular school buildings for the Plainedge Union Free School District at issue in this matter.

“Yonkers School Project” shall mean the project for construction of a modular school building for the Yonkers, NY School district at issue in this matter.

“Winthrop Hospital Project” shall mean the project for construction of a modular building for Winthrop Hospital at issue in this matter.

DOCUMENTS REQUESTED

1. All business phone records and telephone service invoices of Axis Construction Corp. and cell phone records and cell telephone service invoices for John Bongiorno for the period of December, 2001 through May, 2002.

2. Records of last known home and business addresses and phone numbers for Marty Chinetz.

FRANCIS X. CLARK, P.C.

DATE:

BY: _____
Francis X. Clark

Attorneys for Defendant,
Landmark Building Systems, Inc.

CERTIFICATE OF SERVICE

I, Francis X. Clark, Attorney for Defendant, hereby certify that I have served a true and correct copy of the foregoing Second Request for Production of Documents Directed to Plaintiff, Axis Construction Corp., this date, by fax and first-class mail, addressed as follows:

David R. Moffitt, Esquire
SAUL EWING, LLP
Center Square West
1500 Market Street, 38th Floor
Philadelphia, PA 19102-2186

and by first class mail, postage prepaid, addressed as follows:

Rene David Quinlan, Esquire
COHEN, SEGLIAS, PALLAS,
GREENHALL & FURMAN
1515 Market Street, 11th Floor
Philadelphia, PA 19102

DATE:

Francis X. Clark